IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

TUESDAY, THE TWENTY SECOND DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MR JUSTICE BILAL NAZKI
and
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO.10105 of 2004

Between:

Madhu Mohan Raju, S/o.S.Govinda Raju,
Aged 25 years, Occ: owner of the vehicle
No. AP7W 2956, R/o.Nagarjunasagar,
Nalgonda District. **..... PETITIONER**

AND

1.The Secretary,
Regional Transport Authority,
Nalgonda, Nalgonda District.
2.The Motor Vehicle Inspector,
Miryalaguda, Nalgonda District. **.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of writ of mandamus declaring the seizure and continuing detention of my 7 seater Auto bearing No. AP7W 2956 under the vehicle check report no.0781856 dated 8-6-2004 by the respondent no.2 as illegal, arbitrary, null and void and consequently direct the respondents to release the vehicle immediately pending enquiry before the respondents without insisting the payment of stage carrier tax and to pass such other order.

For the Petitioner: MR.SATYANARAYANA PALUKURU

For the Respondents: GP FOR TRANSPORT

The Court made the following :

ORDER:

Heard learned counsel for the parties and at their consent, the matter is disposed of at this stage.

The grievance of the petitioner is that his vehicle was seized without any valid reasons. The check report shows that he was driving the vehicle without R.C, without proof of having paid tax, without F.C, without I.C, without P.U.C and without T.L. But the learned Counsel has shown us the documents. We are not sure whether these documents were produced at the time of checking or not, but admittedly he had not paid the tax for one year.

In these circumstances, we direct the release of vehicle on payment of the tax due. Other matters shall be decided by the competent authority. Writ Petition is accordingly disposed of. No costs.

(BILAL NAZKI, J)

22nd JUNE, 2004

(P.S.NARAYANA, J)

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Copy to
1.The Secretary,
Regional Transport Authority,
Nalgonda, Nalgonda District.
2.The Motor Vehicle Inspector,
Miryalaguda, Nalgonda District.
3.2 CCs to the G.P. for Transport (OUT)
4.2 CD copies
5.One spare copy.